

AMENDED

Serial No. 53172

APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF NEVADA HERETOFORE APPROPRIATED

Date of filing in State Engineer's Office APR 2 4 1989  
 Returned to applicant for correction MAY 2 2 1989  
 Corrected application filed JUL 2 0 1989 Map filed JUL 2 0 1989 under 53171

The applicant Nevada Settlers Assn'.

Star Route 3, Box 1995

of Ely

Street and No. or P.O. Box No.

City or Town

Nevada 89301

State and Zip Code No.

hereby make S application for permission to change the

Point of Diversion and Place of Use.

Point of diversion, manner of use, and/or place of use

of water heretofore appropriated under Permit No. 32992

(Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and

identify right in Decree.)

- The source of water is Underground Sources.  
Name of stream, lake, underground spring or other source.
- The amount of water to be changed 5.4 cfs  
Second feet, acre feet. One second foot equals 448.83 gallons per minute.
- The water to be used for irrigation and domestic.  
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
- The water heretofore permitted for irrigation and domestic.  
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
- The water is to be diverted at the following point in the NE $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 8, T. 10 N., R. 57 E.,  
Describe as being within a 40-acre subdivision of public survey and by course and distance to a section corner. If on unsurveyed land, it should be stated.  
 M.D.B. & M., whence the Northeast Corner of said Section 8 bears N. 88° 57' 55" E.,  
 2,711.54 feet distant.
- The existing permitted point of diversion is located within the NE $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 8, T. 10 N., R. 57 E.,  
If point of diversion is not changed, do not answer.  
 M.D.B. & M., whence the Northeast Corner of said Section 8 bears N. 45° 00' 00" E.,  
 50.00 feet distant.
- Proposed place of use W $\frac{1}{2}$  of Section 8, T. 10 N., R. 57 E., M.D.B. & M., 320 acres.  
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.
- Existing place of use All of Section 8, T. 10 N., R. 57 E., M.D.B. & M., 320 acres.  
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or manner of use of irrigation permit, describe acreage to be removed from irrigation.
- Use will be from January 1st to December 31st of each year.  
Month and Day Month and Day
- Use was permitted from January 1st to December 31st of each year.  
Month and Day Month and Day
- Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) Drilling and equipping a well and installing  
State manner in which water is to be diverted, i.e. diversion structure, ditches, the distribution and irrigation systems.  
 pipes and flumes, or drilled well, etc.
- Estimated cost of works \$20,000.00
- Estimated time required to construct works 3 years

14. Estimated time required to complete the application of water to beneficial use 5 years

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

This application supports a Carey Land Act application and the land in the W $\frac{1}{2}$  of Section 8 has been allowed entry pending the Division of State Land approval.

s/ Richard W. Forman  
By Richard W. Forman Agent  
P.O. Box 150, Ely, Nevada 89301

Compared pm/jm am/vjw

Protested

APPROVAL

OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion of the waters of an underground source as heretofore granted under Permit 32992 is issued subject to the terms and conditions imposed in said Permit 32992 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a weir or other type of measuring device at or near the well to facilitate the measurement and control of the water. If well is flowing, a valve must be installed and maintained to prevent waste. The State reserves the right to regulate the use of the water under this proposed change at any and all times.

This Permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

The place of use under this permit is limited to the irrigation of 320 acres within the W 1/2, Section 8, T.10N., R.57E., M.D.B.&M.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 5.4 cubic feet per second, but not to exceed 1280 acre-feet annually, and not to exceed a yearly duty of 4.0 acre-feet per acre of land irrigated from any and/or all sources.

Work must be prosecuted with reasonable diligence and be completed on or before June 17, 1991

Proof of completion of work shall be filed before July 17, 1991

Application of water to beneficial use shall be made on or before June 17, 1992

Proof of the application of water to beneficial use shall be filed on or before July 17, 1992

Map in support of proof of beneficial use shall be filed on or before July 17, 1992

Completion of work filed IN TESTIMONY WHEREOF, I R. MICHAEL TURNIPSEED, P.E.  
State Engineer of Nevada, have hereunto set my hand and the seal of  
my office, this 6th day of November

Cultural map filed

A.D. 19 90

Certificate No. 2407 (Rev. 1-83) Issued SEP 25 1991

CANCELLED SEP 25 1991 BECAUSE OF FAILURE  
OF APPLICANT TO COMPLY WITH THE PROVISIONS OF PERMIT

STATE ENGINEER

CANCELLED APR 27 1992 BECAUSE OF FAILURE  
OF APPLICANT TO COMPLY WITH THE PROVISIONS OF PERM  
STATE ENGINEER